BEFORE THE LOK ADALATH

0RGANISED BY THE KERALA HIGH COURT LEGAL SERVICES COMMITTEE

PRESENT :

THE HONOURABLE MR. JUSTICE K.JOHN MATHEW (RETD.JUDGE)
&
THE HONOURABLE MR. JUSTICE P.K.SHAMSUDDIN (RETD. JUDGE)

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

OP.No. 13952 of 2003(J)

PETITIONER:

K.A.BEEFATHIMA, W/O. M.ABDULLA,
MUKKUNNATH HOUSE, PALAKKUNNU, UDUMA VILLAGE,
HOSDURG TALUK, BEKAL POST, KASARAGOD DISTRICT.

BY ADV. SRI.A.K.ABDUL AZEEZ

RESPONDENTS:
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1. THE FEDERAL BANK, ALWAYE, REPRESENTED
BY ITS MANAGER, FEDERAL BANK, NILESHWAR,
KASARAGOD DISTRICT.

2. THE REGIONAL MANAGER, REGIONAL OFFICE,
FEDERAL BANK, KOZHIKODE.

3. THE SUBORDINATE JUDGE OF HOSDURG,
HOSDURG, KASARAGOD DISTRICT.

4. THE ASSISTANT GENERAL MANAGER,
ASSET RECOVERY DEPARTMENT, HEAD OFFICE, ALUVA.

BY ADV. SRI.GEORGE VARGHESE (MANACHIRACKEL) FOR R1 & R2

THIS ORIGINAL PETITION HAVING COME UP FOR DETERMINATION AT LOK ADALATH AND THE PARTIES HAVING SETTLED THE MATTER, THE FOLLOWING AWARD IS PASSED IN TERMS OF SETTLEMENT.

ORDER ON C.M.P. NO.23549 OF 2003 IN O.P.NO.13952 OF 2003

CLOSED.

SD/-
K.JOHN MATHEW (RETD. JUDGE)

SD/-
30-5-2007. P.K.SHAMSUDDIN (RETD. JUDGE)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE O.S. NO.43/95 OF 3RD RESPONDENT.

EXT.P2: COPY OF THE DECREE IN O.S.43/95 OF THE 3RD RESPONDENT.

EXT.P3: COPY OF THE CHART ISSUED BY THE 1ST RESPONDENT.

EXT.P4: COPY OF THE SALE PROCLAMATION DATED 12/11/01.

EXT.P5: COPY OF THE COMPROMISED PROPOSAL.

EXT.P6: COPY OF THE JUDGMENT IN O.P.NO.4940/03, DATED 11/02/03.

EXT.P7: COPY OF THE REPRESENTATION MADE BY THE PETITIONER.

EXT.P8: COPY OF THE LETTER, DATED 08/03/03.

/TRUE COPY/

P.A. TO JUDGE

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JUSTICE K.JOHN MATHEW
(RETIRED JUDGE, HIGH COURT OF KERALA)
&
JUSTICE P.K.SHAMSUDDIN
(RETIRED JUDGE, HIGH COURT OF KERALA)

O.P.No.13952 OF 2003

Dated this the 30th day of May, 2007

A W A R D

The Manager of the Federal bank, Nileshwar Branch, in his letter dated 27.4.2007 to the Secretary, Kerala High Court Legal Services Committee has informed that the petitioner Smt.Beefathima has settled all her liabilities with this branch three years back. A copy of the letter evidencing this is enclosed with the said letter. The bank manager has also stated that since the petitioner is very old and is not in a position to appear before the adalath, the adalath may take the letter as evidence and treat the case as withdrawn. In view of this, the original petition is closed as settled. All the proceedings in execution of decree in Suit No.43/1995, Subordinate Judge, Hosdurg, including the sale proclamation evidenced by Ext.P4 are closed as settled and withdrawn.

JUSTICE K.JOHN MATHEW
(RETIRED JUDGE, HIGH COURT OF KERALA)

JUSTICE P.K.SHAMSUDDIN
(RETIRED JUDGE, HIGH COURT OF KERALA)

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